

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DONTE JENKINS,

Plaintiff,

vs.

JOE LOMBARDO, et al.,

Defendants.

Case No. 2:18-cv-00820-JCM-CWH

REPORT & RECOMMENDATION

This matter is before the court on plaintiff Donte Jenkins' failure to comply with the court's order dated May 21, 2018, which required him to file an application to proceed *in forma pauperis* or to pay the filing fee in this case. (Order (ECF No. 4).) Plaintiff's deadline for doing so was June 20, 2018. (*Id.*) Plaintiff was advised that failure to comply with the order would result in a recommendation that his case be dismissed. (*Id.* at 2.) Plaintiff has not taken any action in this case since the court's order dated May 21, 2018, and he therefore appears to have abandoned this case.

IT IS THEREFORE RECOMMENDED that Plaintiff Donte Jenkins' case be dismissed without prejudice.

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NOTICE

This report and recommendation is submitted to the United States district judge assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation may file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).

DATED: July 18, 2018



C.W. Hoffman, Jr.
United States Magistrate Judge